

REMARKS

The specification and drawings have been amended as needed so as to take care of the formal matters kindly pointed out by the Examiner. Note that 21 and 22 are described on page 6 of the specification, which description applies to all the drawing figures.

The claims previously in the case have been replaced by a set of new claims that are believed to be proper as to form and patentable over the cited references.

It is respectfully submitted that none of the cited prior art reveals or even suggests a urological instrument as described by the present claims. DYE describes a urological instrument that is neither foldable nor disposable. Instead, both the receiving member and the indicator means are rigid bodies that have only one, ready-to-use state and do not provide for a more compact storage state.

BORTLE, on the other hand, does not relate to a urological instrument but only to a receiving member used as a urine conduit. It is admitted that this known receiving member has a compact storage state and a expanded ready-to-use state, but combining the receiving member of BORTLE with the instrument of DYE would render a device which is still not foldable and disposable as a whole. Merely the receiving member would be foldable, but for a skilled person it is not immediately apparent that, let alone how, the rigid indicator means of DYE can be

conceivable as a foldable and disposable article as well. Present claim 1, requiring that not only the receiving member but also the entire instrument has a compact storage state as well as an expanded ready-to-use state, is accordingly deemed non-obvious over the combination of BORTLE and DYE.

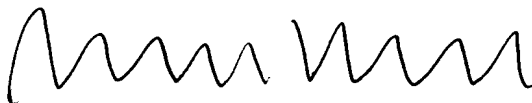
Neither does any other combination of the prior art references deprive present claim 1 of its novelty or non-obviousness. The claims are thus to be deemed allowable over the prior art which is of record.

As the new claims bring out these distinctions with ample particularity, it is believed that they are all patentable, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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